REMARKS

Claims 1-10, 12-14 and 16-22 are pending. Claims 1, 3-10, 12 and 20-22 have been amended. Claims 1, 5, 9, 12 and 20-22 are the independent claims.

Claims 1-6 and 9-14 were rejected under 35 U.S.C. § 102(a) over Applicant's admitted prior art, in particular Figure 5. Applicant submits that the amended independent claims are patentable over the cited art for at least the following reasons.

Amended claim 1 is directed to a code conversion method of receiving a first code string to convert the first code string into a second code string, and to output the same. The method includes: a first step of generating a decoded signal from the first code string in accordance with a decoding method; and a second step of judging whether the decoded signal is an audio signal or a non-audio signal by using information contained in the undecoded first code string, and encoding the decoded signal in accordance with an encoding method on the basis of the judgment to generate a second code string.

Amended claim 1 further recites that the generating step includes an audio decoding step and a non-audio decoding step. The audio decoding step includes receiving a first code corresponding to an audio parameter contained in the first code string when the information corresponds to an audio section, and decoding an audio signal from the first code by the decoding method, and outputting the decoded audio signal as the decoded signal. The non-audio decoding step comprises receiving a second code corresponding to a non-audio parameter contained in the first code when the information corresponds to a non-audio section, decoding a non-audio signal from the first code by the decoding method, and outputting the decoded non-audio signal as the decoded signal.

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The newly-recited audio decoding step and non-audio decoding step correspond to the functions of the audio decoding circuit and noise decoding circuit previously recited in claim 7, which had been indicated as allowable. Applicant submits that the newly recited limitations are clearly not taught or suggested in the admitted prior art.

Independent claims 5, 9 and 20-22 have been amended to recite substantially similar features and are believed clearly patentable over the admitted prior art for substantially the same reasons as amended independent claim 1.

Amended claim 12 recites, inter alia, judging whether the first code string is an audio signal or a non-audio signal based on at least one of the header and the payload of the *undecoded* first code string, decoding the first code string based on the judgment, and then encoding the code string according to an encoding method into the second code string.

In the prior art system illustrated by Figure 5, a first code string is decoded by audio decoding device (1A) into decoded data. The system then judges whether or not the *already decoded data* is noise or not, using the audio detection device (5). That is, the judgment as to whether or not the decoded data is noise in the conventional code conversion device is made based upon an *analysis of already decoded data.*
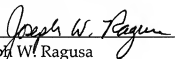
On the other hand, as even more clearly recited in amended independent claim 12, the determination as to whether or not the decoded signal is an audio signal or a non-audio signal is made based upon information contained in the ***undecoded*** first code string, not from the decoded signal itself. Because of this technique, there is no need for the extra structure corresponding to the prior art audio detection device (5).

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The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Dated: December 6, 2007   Respectfully submitted,

By _____
Joseph W. Ragusa
  Registration No.: 38,586
DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
(212) 277-6500
Attorney for Applicant

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